

**BEFORE THE  
MISSOURI ETHICS COMMISSION**

**Filed**  
**SEP 25 2015**  
Missouri Ethics  
Commission

MISSOURI ETHICS COMMISSION,	)	
	)	
Petitioner,	)	
	)	Case No. 14E087, 14E096
v.	)	
	)	
CLINTON ADAMS, JR.,	)	
	)	
Respondent.	)	

**CONSENT ORDER**

The parties have filed a Joint Stipulation of Facts, Waiver of Hearing, and Proposed Consent Order with the Missouri Ethics Commission in this matter. Accordingly, the Missouri Ethics Commission accepts as true the facts stipulated and finds that Respondent Adams violated Sections 130.031.11, RSMo.

The Commission directs that all terms and orders of the Joint Stipulation be adopted herein and implemented.

1. Respondent shall comply with all relevant sections of Chapter 130, RSMo.
2. It is the order of the Missouri Ethics Commission that a fee is imposed against Respondent Adams in the amount of \$1,900 pursuant to Section 105.961.4(6), RSMo. However, if Respondent pays \$640 of that fee within forty-five (45) days after the date of this Order, the remainder of the fee will be stayed. The fee will be paid by check or money order made payable to and sent to the Missouri Ethics Commission.
3. Regardless of the stay in paragraph 2 above, if Respondent Adams commits any further violations of the campaign finance laws pursuant to Chapter 130, RSMo, as amended, within the two-year period from the date of this order, then Respondent Adams will be required to pay the remainder of the fee. The fee will be due

immediately upon final adjudication finding that Respondent Adams committed such a violation.

SO ORDERED this 25<sup>th</sup> day of September, 2015

By:



---

Charles E. Weedman, Jr., Chair  
Missouri Ethics Commission

**Filed**  
**SEP 25 2015**  
Missouri Ethics  
Commission

**BEFORE THE  
MISSOURI ETHICS COMMISSION**

MISSOURI ETHICS  
COMMISSION,

Petitioner,

v.

CLINTON ADAMS, JR.,

Respondent.

Case No. 14E087, 14E096

**JOINT STIPULATION OF FACTS, WAIVER OF HEARING  
BEFORE THE MISSOURI ETHICS COMMISSION, AND  
CONSENT ORDER WITH JOINT PROPOSED  
FINDINGS OF FACT AND CONCLUSIONS OF LAW**

The undersigned parties jointly stipulate to the facts and consent to the action set forth below.

The undersigned Respondent, Adams, acknowledges that he has received and reviewed a copy of the Complaint filed by the Petitioner in this case, and the parties submit to the jurisdiction of the Missouri Ethics Commission.

The undersigned Respondent further acknowledges that he is aware of the various rights and privileges afforded by law, including but not limited to: the right to appear and be represented by counsel; the right to have all allegations against Respondent be proven upon the record by competent and substantial evidence; the right to cross-examine any witnesses appearing at the hearing against Respondent; the right to present evidence on Respondent's behalf at the hearing; and the right to a decision upon the record of the hearing. Being aware of these rights provided to Respondent by operation of law, the undersigned Respondent knowingly and voluntarily waives each and every one of these rights and freely enters into this Joint Stipulation of Facts, Waiver of

Hearing before the Missouri Ethics Commission, and Consent Order with Joint Proposed Findings of Fact and Conclusions of Law, and agrees to abide by the terms of this document.

The parties mutually recognize that this stipulation is the result of negotiations between Respondent and the Missouri Ethics Commission for the purpose of reaching a mutual resolution of these proceedings. Nothing included herein is intended to be deemed an admission for purposes for any proceedings not before the Missouri Ethics Commission.

**I.**

Based upon the foregoing, the Petitioner and the undersigned Respondent jointly stipulates to the following and requests that the Missouri Ethics Commission adopt as its own the Joint Proposed Findings of Fact and the Joint Proposed Conclusions of Law, as follows:

**JOINT PROPOSED FINDINGS OF FACT**

1. The Missouri Ethics Commission is an agency of the State of Missouri established pursuant to Section 105.955, RSMo, in part for the purpose of enforcing the provisions of Chapter 130, RSMo.
2. Melissa Robinson was a candidate running for the Kansas City School Board in the April 8, 2014 election.
3. Ms. Robinson's opponent in that election was Joseph Jackson.
4. Respondent Adams worked with Print Media Design to prepare a negative mailer opposing Mr. Jackson, including drafting language.
5. The mailer was printed and mailed by Action Mailing between April 3 and April 7, 2014, prior to the April 8 election.
6. Ms. Robinson was aware that Respondent Adams worked with Print Media Design to prepare a negative mailer opposing Mr. Jackson.

7. Print Media Design requested "paid for by" disclosure information for the mailers.
8. Respondent Adams told Print Media Design that he did not believe that a "paid for by" disclosure was required for the mailer in question.
9. Respondent Adams suggested Print Media Design use the phrase "Parents and Neighbors for Quality Education" for the mailer, but did not include the words "paid for by" or an address. A bulk mail permit belonging to Action Mailing was used for the mailer.
10. "Parents and Neighbors for Quality Education" is not registered as a committee with the Missouri Ethics Commission, nor is it registered as an entity with the Missouri Secretary of State or any other agency of the State of Missouri.
11. Respondent Adams emailed a copy of the proposed mailer to Ms. Robinson.
12. Respondent Adams issued a check to Print Media Design in the amount of \$480, paying a portion of the costs of the mailer.
13. The invoice for the mailer included printing and postage, totaling \$1,430.06.
14. Respondent Adams stated that he believed the \$480 check was a loan made to Ms. Robinson and Committee to Elect Melissa Robinson.
15. Respondent Adams stated that he expected Ms. Robinson to ultimately pay for the mailer.
16. Ms. Robinson did pay \$200 in cash from her own personal funds for the mailer.
17. Ms. Robinson did not report the \$480 check from Respondent Adams to Print Media Design as a loan or as an in-kind contribution on the campaign finance disclosure reports for Committee to Elect Melissa Robinson.

18. Ms. Robinson did not report her cash payment to Print Media Design as a loan or as an in-kind contribution on the campaign finance disclosure reports for Committee to Elect Melissa Robinson.

19. Pursuant to Section 105.961, RSMo, the Commission's staff investigated complaints filed with the Commission and reported the investigation findings to the Commission.

20. Based on the report of the Commission's staff, the Commission determined that there were reasonable grounds to believe that violations occurred, and it therefore authorized a hearing in this matter pursuant to Section 105.961.3, RSMo.

#### **JOINT PROPOSED CONCLUSIONS OF LAW**

21. Any person publishing, circulating, or distributing any printed matter relative to any candidate for public office . . . shall on the face of the printed matter identify in a clear and conspicuous manner the person who paid for the printed matter with the words "Paid for by" followed by the proper identification of the sponsor pursuant to this section." § 130.031.8, RSMo.

22. Printed matter includes "any pamphlet, circular, handbill, sample ballot, advertisement, including advertisements in any newspaper or other periodical, sign, including signs for display on motor vehicles, or other imprinted or lettered material." § 130.031.8, RSMo.

23. "In regard to any printed matter paid for by a committee, it shall be sufficient identification to print the name of the committee as required to be registered by subsection 5 of section 130.021 and the name and title of the committee treasurer who was serving when the printed matter was paid for." § 130.031.8(2), RSMo.

24. "It shall be a violation of this chapter for any person required to be identified as paying for printed matter pursuant to subsection 8 of this section . . . to refuse to provide the

information required or to purposely provide false, misleading, or incomplete information.”  
§ 130.031.11, RSMo.

25. “No person shall accept for publication or printing nor shall such work be completed until the printed matter is properly identified as required by this subsection.”  
§ 130.031.8(4), RSMo.

26. Candidates and candidate committees are required to file campaign finance disclosure reports that set forth expenditures for the period, including the:

(d) The full name and mailing address of each person to whom an expenditure of money or any other thing of value in the amount of more than one hundred dollars has been made, contracted for or incurred, together with the date, amount and purpose of each expenditure.

§ 130.041.1(4), RSMo.

27. Candidates and candidate committees are also required to report all contributions received during the reporting period, including the “Total dollar value of all in-kind contributions received.” § 130.041.1(3)(d), RSMo.

28. Candidates and candidate committees are also required to report all loans received during the reporting period, including the “lender and date and amount of the loan.” § 130.041.1(f), RSMo.

29. For loans over \$100, “a separate statement shall be attached setting forth the name and address of the lender and each person liable directly, indirectly or contingently, and the date, amount and terms of the loan.” § 130.041.1(f), RSMo.

30. "Any person who is not a defined committee who makes an expenditure or expenditures aggregating five hundred dollars or more in support of, or opposition to, one or more candidates or in support of, or in opposition to, the qualification or passage of one or more ballot measures, other than a contribution made directly to a candidate or committee, shall file a report signed by the person making the expenditures, or that person's authorized agent."  
§ 130.047, RSMo.

31. "Such report shall be filed with the appropriate officer having jurisdiction over the election of the candidate or ballot measure in question as set forth in section 130.026 no later than fourteen days after the date of making an expenditure which by itself or when added to all other such expenditures during the same campaign equals five hundred dollars or more."  
§ 130.047, RSMo.

32. The requirement to file a non-committee expenditure report under Section 130.047, RSMo, does not apply "to a person who uses only the person's funds or resources to make an expenditure or expenditures in support of or in coordination or consultation with a candidate or committee; provided that, any such expenditure is recorded as a contribution to such candidate or committee and so reported by the candidate or committee being supported by the expenditure or expenditures." § 130.047, RSMo.

33. There is probable cause to believe that Respondent Adams violated Section 130.031.11, RSMo, by not providing "paid for by" disclosure information regarding a mailer relating to a candidate.

34. Respondent agrees that there is probable cause to believe that there was a violation of Section 130.031.11, RSMo, but asserts that he believed that he was not required to provide disclosure information



## II.

Based on the foregoing, the parties hereto mutually agree and stipulate that the following shall constitute the order entered by the Missouri Ethics Commission in this matter. This order will be effective immediately upon the issuance of the Consent Order of the Missouri Ethics Commission without further action by any party:

1. The parties understand that the Petitioner will maintain this Joint Stipulation as an open and public record of the Missouri Ethics Commission.

2. The Commission shall issue its Consent Order in the form attached hereto as Exhibit A.

a. Respondent shall comply with all relevant sections of Chapter 130, RSMo.

b. It is the Order of the Missouri Ethics Commission that a fee is imposed against Respondent Adams in the amount of \$1,900, pursuant to Section 105.961.4(6), RSMo. However, if Respondent pays \$640 of that fee within forty-five days after the date of the Order, the remainder of the fee will be stayed. The fee will be paid by check or money order made payable to the Missouri Ethics Commission.

c. Regardless of the stay in paragraph 2.b above, if Respondent Adams commits any further violation of the campaign finance laws under Chapter 130, RSMo, within the two-year period from the date of this order, then Respondent Adams will be required to pay the remainder of the fee. The fee will due immediately upon final adjudication finding that Respondent Adams has committed such a violation.


3. The parties consent to the entry of record and approval of this Joint Stipulation and to the termination of any further proceedings before the Commission based upon the Complaint filed by the Petitioner in the above action.


4. Respondent, together with his heirs, successors, and assigns, does hereby waive, release, acquit and forever discharge the Missouri Ethics Commission and its attorneys of or from any liability, claim, actions, causes of action, fees, costs and expenses, and compensation, including but not limited to, a claim for attorney's fees whatsoever which Respondent or Respondent's attorney may now have or which they may hereafter have, which are based upon or arise out of the above cases.

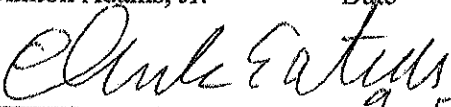
SO AGREED:

RESPONDENT CLINTON ADAMS, JR.

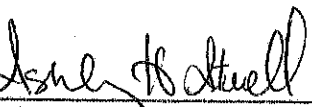
PETITIONER MISSOURI ETHICS  
COMMISSION

By:  9-16-2015  
Clinton Adams, Jr. Date

By:  9-24-15  
James Klahr Date  
Executive Director

By:  9-17-15  
Charles E. Atwell Date  
Attorney for Respondent  
Adams

By:  9/24/15  
Curtis R. Stokes Date  
Attorney for Petitioner

By:  9/18/15  
Ashley Atwell Date  
Attorney for Respondent  
Adams